

REMARKS

Drawings

Applicant notes that the drawings are acceptable for examination purposes and will submit formal drawings when the application is allowed.

Specification

Applicant has updated and corrected the continuation data on page 1.

Claim Rejections – 35 U.S.C. 103

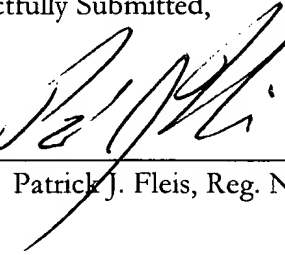
Claims 1-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Talish et al ('070) in view of Peterson et al. ('619). Applicant has amended independent claim 1, 2, 15, and 16 to state that the invention is directed towards the application of ultrasound energy to increase the blood flow of the individual. Talish discusses and is related to using ultrasonic energy for treatment of reflex sympathetic disorder (RSD). Talish does not suggest or teach any use by the described device other than for treatment of RSD. The operating frequencies would not be within the range recited in the present invention. As such, Talish does not suggest or teach placement of a device for interaction with the thoracic cavity to provide increased blood flow of the individual. It would not have been obvious to combine Talish with Peterson to arrive at the present invention, since there is no suggestion or teaching in Peterson to modify a device used for treatment of RSD for increasing circulation as presently discussed.

Furthermore, the recited parameters and dimensions are not obvious in view of the cited prior art. Specifically, the currently recited arrangement of the device for placement on the thoracic cavity having the specified aperture sizes is not taught by Peterson. The recited elements of the present invention are designed so that an individual applicator may be placed upon the thoracic cavity to provide the necessary treatment. Peterson discusses a system for using multiple transducers to provide ultrasound energy. Throughout Peterson, in the abstract, the summary of the invention, the detailed description, and the claims, reference is only made to a system using multiple transducers. There is no suggestion or teaching in Peterson that the described system should be used as an individual device as in the present device, which means the dimensions and arrangement of the present invention are not obvious parameters in light of Peterson. Since neither Talish nor Peterson describe an ultrasound applicator as presently described, it would not have been obvious to combine the two devices to arrive at the present invention.

Accordingly, Applicant believes amended independent claims 1, 2, 15, and 16 patentably distinguish the present invention from the prior art, and allowance of claims 1, 2, 15, and 16, along with dependent claims 3-14 and 17-23 is requested.

Respectfully Submitted,

By



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